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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,920	10/23/2003	Kumaravel Gancsan	JP920030153US1	1617
39903	7590	06/25/2007		
ANTHONY ENGLAND PO Box 5307 AUSTIN, TX 78763-5307			EXAMINER TAYLOR, NICHOLAS R	
			ART UNIT 2141	PAPER NUMBER
			MAIL DATE 06/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/691,920	Applicant(s) GANESAN ET AL.	
	Examiner Nicholas R. Taylor	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 6-15 is/are allowed.
- 6) ☒ Claim(s) 1-5, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10.23.2003</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-17 have been examined. Claims 1-5, 16, and 17 are rejected. Claims 6-15 are allowed.

### ***Claim Objections***

2. The claims are objected to because of the following minor informality:  
claim 7 contains an unnecessary "and" following the first comma.  
Appropriate correction is required.

### ***Drawings***

3. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Any additional figures that meet this description must also be corrected. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheets should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Allowable Subject Matter***

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4. The following is an examiner's statement of reasons for allowance:

Independent claims 6, 10, and 13, teach a method for invoking a web service between a service requestor and provider by making a service request to an intermediary that includes a source tModel and web service information. The request is then used by the intermediary to retrieve a corresponding mapping aspect and code structure that are weaved together at runtime. Afterwards, the service invocation is completed in the form of a target tModel. These limitations, taken in the environment of the independent claims and limited to the disclosure given in the specification, distinguish from the prior art of record.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 16 and 17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Specifically, the "program stored on a storage medium" would reasonably be interpreted by one of ordinary skill in the art as failing to fall within a statutory category of invention, because applicant's disclosure contains no explicit and deliberate definition for the term "storage medium."

In the context of the disclosure and claims in question, one of ordinary skill would reasonably interpret the "computer program stored on a storage medium" as containing non-statutory embodiments stored on storage mediums that are not capable of being

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read by a computer. Thus, the claimed limitations are not limited to statutory subject matter and are therefore nonstatutory.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Sedukhin (U.S. PGPub. 2004/0030627).

9. As per claim 1, Sedukhin teaches a method for invoking a web service from a service provider, the method comprising the steps of:

invoking an intermediary framework when a service is requested by a requester;  
(Sedukhin, paragraphs 0019-0021 and 0051-0052)

adapting said framework to a tModel supported by a matching service provider;  
and invoking the service (Sedukhin, paragraphs 0062; where the services use UDDI as per paragraphs 0032-0034).

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10. As per claim 2, Sedukhin teaches the system further wherein said step of adapting is performed by runtime weaving of mapping aspects into said framework (Sedukhin, paragraphs 0062, where an aspect is dynamically weaved at runtime).

11. As per claim 3, Sedukhin teaches the system further wherein said step of adapting includes searching an aspect library for a binding protocol that matches the tModel of the requested service and assigning attributes of the matching protocol for invocation of the service (Sedukhin, paragraphs 0061-0064; e.g., see the facility components of fig. 5).

12. As per claim 4, Sedukhin teaches the system further comprising the further steps of: receiving a response from said service provider; converting said response to the tModel supported by said requestor; and passing said response to said requestor (Sedukhin, paragraphs 0061-0064, where the responses are processed before transmission to the requestor).

13. As per claim 5, Sedukhin teaches a method for invoking a web service between a service requestor having a source tModel and a service provider having a target tModel, including a service intermediary converting between said source tModel and target tModel for service invocation and reply by applying a matching runtime binding template (Sedukhin, see paragraphs 0019-0021 and 0051-0052 defining the system structure,

where in paragraphs 0032-0034 and 0061-0064 UDDI runtime templates are used to dynamically bind web service invocations).

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes:

U.S. Patent No. 7,178,163, which describes a method of user authentication at an intermediary server that can authorize tModel management transactions;

U.S. PGPub 2004/0039738, which describes a method of implementing geographical taxonomy in UDDI service registries; and

U.S. PGPub 2003/0163450, which describes a method of brokering data structures between different web services.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharra can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT 6-14-02

Nicholas Taylor  
Examiner  
Art Unit 2141



JASON CARDONE  
SUPERVISORY PATENT EXAMINER